

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, July 9, 2002
Tuesday, 9:00 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Mayor Knight gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The Minutes of the regular meeting of July 2, 2002, were approved 7 to 0.

AWARDS AND PRESENTATIONS

AWARDS

The Golden Rule Award was presented to James Brown, City Hall employee.

PUBLIC AGENDA

King David Davis – Responsibilities of Respect.

King David Davis

King David Davis said responsibilities of respect require understanding, tolerance, speaking out, actions, decisions, and sacrifices. Mr. Davis asked the City to become more united in purpose and intent.

NEW BUSINESS

IMPROVEMENTS

PETITION TO PAVE STREETS NORTH OF 53RD STREET NORTH, EAST OF MERIDIAN.
(District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 02-1598

The signatures on the Petition represent 127 of 252 (50.40%) resident owners and 54.23% of the improvement district area. District VI Advisory Board held a June 3, 2002, neighborhood hearing on the project. The Board voted 8-1 to recommend approval of the Petition subject to the results of the protest Petition.

The project will pave parts of Sedgwick, Athenian, Charles, Delaware, 54th Street North, 56th Street North, and 57th Street North. The surrounding area is a residential neighborhood that was developed outside the City of Wichita, but has been annexed. If the project is approved, it will be combined with a previously approved paving project, St. Clair, and let as one project.

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The estimated project cost is \$1,340,000, with the total assessed to the improvement district. The method of assessment is the square foot basis. The estimated rate of assessment is \$00.132 per square foot for properties being assessed for a front or side street only and \$00.264 per square foot for properties being assessed for front and side street.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Daniel Thompson

Daniel Thompson said the developer had assured him streets in the area would someday be paved. Mr. Thompson said dust is a problem and a health hazard. Unpaved roads are also a safety hazard when used by persons turning "donuts."

Gary Williamson

Gary Williamson stated that a protest petition had been started and now contained signatures of 55 percent of resident owners and 52.1 percent of the properties.

Motion --

-- carried

Fearey moved that the Petition be approved; the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. 02-337

Resolution of findings of advisability and Resolution authorizing improving Sedgwick from the north line of 53rd Street North to 105th north of the south line of 57th Street North and on Athenia from the north line of 54th Street North to the south line of vacated 57th Street North; and on Charles from the north line of 54th Street North to the south line of vacated 57th Street North; and on St. Clair from the north line of 5th Street North to the south line of vacated 57th Street North; and on Delaware from the north line of 54th Street North to the south line of vacated 57th Street North; and on 54th Street North from the west line of Sedgwick to the west line of Delaware; and on 56th Street North from the east line of Meridian to the west line of Delaware; and on 57th Street North from the east line of Meridian to the west line of Sedgwick, 472-83474, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Fearey moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

OLD TOWN CENTER ISSUANCE OF INDUSTRIAL REFUNDING REVENUE BONDS – OLD TOWN CENTER, L.L.C. (District VI)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 02-1599

On August 5, 1997, City Council approved the issuance of Industrial Revenue Bonds in the amount of \$2.5 million to Old Town Center, L.L.C. Bond proceeds were used to finance the purchase and renovation of property in the Old Town District, located at 800 East First. No property tax exemption was requested. In October, 1999, City Council approved issuance of additional Industrial Revenue Bonds in an amount not-to-exceed \$485,000, for the purpose of completing planned renovations to the property financed by the Series VII A&B 1997 Bonds.

On December 18, 2001, City Council approved a Letter of Intent to issue Industrial Refunding Revenue Bonds in the amount of \$2,850,000, to Old Town Center, L.L.C. The bonds will be used for the purpose of providing funds to refund and redeem certain outstanding bonds. The company is now requesting the City to issue Bonds in two series: Series II-A, 2002, Taxable Industrial Refunding Revenue Bonds in the aggregate principal amount of \$1,960,000; Series II-B, 2002, Subordinated Taxable Industrial Refunding Revenue Bonds in the aggregate principal amount of \$890,000.

Old Town Center was formed by Michael Relihan, owner of Chapman Securities for the purpose of acquiring and renovating the building, formerly referred to as the Maasco Building. Previous bonds issued by the City of Wichita were for the primary purpose of renovating the building into a general

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office and retail property. The building is a four-story structure with 8,800 s.f. of leasable space on each floor and 8,500 s.f. available in the basement.

Chapman Securities, Inc. has agreed to underwrite the refunding bonds. The firm of Hinkle Elkouri, L.L.C., serves as bond counsel for the project. Old Town Center is in compliance with the Standard Conditions contained in the City's IRB Policy.

Old Town Center agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Old Town Center does not request tax exemption in conjunction with the IRBs.

Bond documents needed for the issuance of the bonds have been prepared by bond counsel for the project. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Fearey moved that the public hearing be closed; the Bond Ordinance authorizing the execution and delivery of documents for the issuance of Industrial Refunding Revenue Bonds to Old Town Center, L.L.C. in an amount of approximately \$2,850,000 be placed on first reading; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

ORDINANCE

A Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$1,960,000 Aggregate Principal amount of Taxable Industrial Refunding Revenue Bonds, Series II, 2002 (Old Town Center, L.L.C.) and \$890,000 aggregate principal amount of Subordinated Taxable Industrial Refunding Revenue Bonds, Series II-B, 2002 (Old Town center, L.L.C.) for the purpose of providing funds to refund and redeem certain outstanding bonds issued to acquire, purchase, renovate and equip an office building; prescribing the form and authorizing execution of a trust indenture by and between the City and Central Bank and Trust Company, Hutchinson, Kansas, as Trustee with respect to each Series of the Bonds; prescribing the form and authorizing the execution of a Lease Agreement by and between the City and Old Town Center, L.L.C.; approving the form of a Guaranty Agreement; approving the form of an individual Guaranty Agreement; authorizing the execution of a Bond Purchase Agreement by and between the City, Old Town Center, L.L.C., and Chapman Securities, Inc., as purchaser of the Series II-A, 2002 Bonds and the Series II-B, 2002 Bonds, introduced and under the rules laid over.

WEST DOUGLAS

WEST DOUGLAS STREETScape, SENECA TO MCLEAN BOULEVARD. (District IV)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 02-1600

The Capital Improvement Program includes funding to improve Douglas, between Seneca and McLean Boulevard. On August 14, 2001, the City council approved the design concept.

The project consists of reconstructing Douglas to provide a two-lane roadway with diagonal parking and a traffic roundabout at Sycamore and a clock tower will be installed on the traffic island. New sidewalks with landscaping, period streetlights, and a gateway entrance at the east end of the project will be installed. A westbound left turn lane will be constructed on Douglas at Seneca. Intersection corners will be bumped out to shorten crossing distances and provide landscape area.

The project budget is \$2,625,000. The funding source is General Obligation Bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Mary Lou Rivers

Mary Lou Rivers asked that additional street signage (possibly brown in color) be installed along saying "Old Chisholm Trail." If necessary, Ms. Rivers said she would raise funds to have the signs installed.

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Bob Therm Bob Therm, Credit Union of America, spoke against the proposed truck loading zone in front of his business. The truck loading zone is not appropriate with the limited amount of traffic that will be allowed.

Jack Kellogg Jack Kellogg, Delano Business Association, said the intention of the project is to make Delano a destination. The project will help businesses in the area and contribute to quality of the neighborhood.

Motion -- Gale moved that the project be approved and the Ordinance be placed on first reading.

Council Member Fearey Council Member Fearey requested that if funds are not available in the budget for "Old Chisholm Trail" signage, Staff assist in finding grant funds for the signage.

-- carried Motion carried 7 to 0.

ORDINANCE

An Ordinance declaring Douglas Avenue, from Seneca to McLean Boulevard (472-83608) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

CRIMINAL TRESPASS AMENDMENTS TO THE CITY CODE REGARDING THE CRIME OF CRIMINAL TRESPASS

Gary Rebenstorf Director of Law reviewed the Item.

Agenda Report No. 02-1601

The State Legislature recently enacted a statute allowing district court judges to enter orders restraining people from being on property of others, when it is shown that the person has violated the provisions of the Protection from Stalking Act. A violation of this type of order, must be pursued through the crime of criminal trespass. The State Statute pertaining to criminal trespass was amended to include a violation of an order obtained through the Protection from Stalking Act. Additionally, the State Legislature previously amended the criminal trespass statute to include as a crime a trespass upon property of a health care facility. These amendments to the criminal trespass ordinance would now mirror the language found in the State statute prohibiting criminal trespass.

It is necessary to amend City Code, Section 5.66.050, to conform to the amendments contained in K.S.A. 21-3721, Criminal Trespass.

There are no financial considerations.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion – carried Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending Section 5.66.050 of the Code of the City of Wichita, Kansas, pertaining the crime of Criminal trespass and repeal of the Original Section 5.66.050, introduced and under the rules laid over.

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USE OF WEAPONS. AMENDMENTS TO CITY CODE REGARDING CRIMINAL USE OF WEAPONS.

Gary Rebenstorf Director of Law reviewed the Item.

Agenda Report No. 02-1602

State Statute pertaining to criminal use of weapons has been amended. The maximum fine upon conviction for violation of this statute is \$2,500. The maximum jail time remains at a maximum of one year in jail. The section pertaining to possession of a silencer or suppressor, upon conviction is now a felony offense. An additional exception to criminal use of weapons was created for Special Deputy Sheriffs described in K.S.A. 2001 Supp. 19-827, and amendments thereto.

It is necessary to amend City Code, Section 5.88.010, to conform to the amendments contained in K.S.A. 21-4201. Without approving the amendments, city ordinance becomes less restrictive than state law under the existing penalty provisions. Additionally, the City cannot retain as a misdemeanor offense, a crime that is now classified as a felony. Finally, the amendment regarding exceptions for a special deputy sheriff, recognize a new classification of law enforcement, recognized under state law.

There are no financial considerations.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending Section 5.88.010 of the Code of the City of Wichita, Kansas, pertaining to the crime of criminal use of weapons and repeal of the Original Section 5.88.010, introduced and under the rules laid over.

FIREARMS DISCHARGING FIREARMS AT DWELLINGS, STRUCTURES, AND VEHICLES.

Gary Rebenstorf Director of Law reviewed the Item.

Agenda Report No. 02-1603

The crimes pertaining to discharging firearms at dwellings, structures, and vehicles are now classified under state law as felony offenses.

It is necessary to repeal the existing ordinance, City Code Section 5.88.035, as a municipality may not create a misdemeanor offense for one designated as a felony offense under state law.

There are no financial considerations.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance repealing Section 5.88.035 of the Code of the City of Wichita pertaining to discharging firearms at dwellings, structures and vehicles, introduced and under the rules laid over.

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BREATH TEST

REFUSAL TO TAKE PRELIMINARY BREATH TEST.

Gary Rebenstorf

Director of Law reviewed the Item.

Agenda Report No. 02-1604

The State legislature created a traffic offense for refusal to submit to a preliminary breath test, in investigations of drivers operating or attempting to operate a motor vehicle under the influence of alcohol and/or drugs.

Creating this new Ordinance, Section 11.38.157, would make the City of Wichita's ordinance mirror state statute pertaining to DUI investigations. The Ordinance would allow Wichita Police officers to cite offenders for refusing to take a preliminary breath test. The test is utilized by officers to determine if there is probable cause to believe a driver is operating, or attempting to operate, a motor vehicle under the influence of alcohol and/or drugs.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion – carried

Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance creating Section 11.38.157 of the Code of the City of Wichita, Kansas, pertaining to refusal to submit to a preliminary breath test – Penalty, introduced and under the rules laid over.

CHARGES/BILLINGS

VOLUME BASE CHARGES/SPECIAL SEWER BILLINGS ORDINANCE.

David Warren

Director of Water and Sewer reviewed the Item.

Agenda Report No. 02-1605

The City of Wichita currently allows customers to install a meter at their own expense to measure volume flowing into the sanitary sewer system. The customer calls in the reading to the City, the sewer charges are calculated, and the customer is then billed. On December 11, 2001, the City Council approved an automated process for metering and collecting readings for special sewer billings.

The Utility will now install the meters and/or equipment to automate meter reading for special sewer billings. The department will be responsible for the calibration and maintenance of the meters and equipment to ensure accuracy of the readings and measurements. Staff developed the proposed amending Ordinance to conform to the automated process.

The Utility will charge a one-time installation fee, plus the cost of the automated reading equipment. A monthly base charge (based on meter size) will be billed to the customer for administrative and replacement costs. Cost of the meters and equipment will be reimbursed by the customer upon installation.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried

Martz moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending Section 16.14.040 and creating Section 16.14.043 of the Code of the City of Wichita, Kansa, relating to the schedule of use charges of the sanitary sewer system, and repealing the original of Section 16.04.040, introduced and under the rules laid over.

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WATER SERVICE

CHANGES IN APPLICATION AND INSTALLATION PROCEDURE FOR WATER SERVICE TAPS.

David Warren

Director of Water and Sewer reviewed the Item.

Agenda Report No. 02-1606

Earlier this year, when increases in water tap fees were considered by the City Council, Staff conferred with industry representatives regarding cost increases and the level of service provided in relation to fees charged. General support for fee increases (aimed at basic cost recovery) was received from the industry; however, concerns were expressed relating the time frames for installation and measures that could/should be taken to achieve cost containment. A committee was formed to study the concerns. It consisted of representatives from construction and plumbing industries and staff members. The committee examined the entire installation process.

Since the mid 1980s, the procedure for the installation of new water service involved the concept of a Plumbing Release. The release requires plumbers to call the Water Department and notify staff that a water line has been installed and the location of the connection to the City's line. Service installation is then scheduled if all fees have been paid.

There have been several problems with this procedure. Homeowners may experience a very short time period between the receipt of the Plumbing Release and the closing on the house. Fee payments and/or the Plumbing Release could be late delaying the installation of water service. Installation of water service could also be delayed due to staff responding to the repair of water main breaks (especially during hot weather).

A committee of individuals in the construction and plumbing trades, along with City staff, recognized these problems and developed the "Foundation Release" concept. Waterline service can be scheduled after the builder completes the foundation work. This allows water service to be provided earlier in the construction process. Under the revised process, the main will be tapped and the service setter (and meter if desired) is scheduled for installation upon receipt of the "Foundation Release" call from the builder.

The outline of the revised process is as follows:

- The applicant communicates the Foundation Release to the Water and Sewer Department.
- The builder/contractor flags the desired location of the service installation (a \$150 fee may be assessed if the location is not clearly marked).
- The tap fee applicant is responsible for any and all damage to the service setter (payment for damages must occur before water service is established).
- Elevation of the service installations is to be set seven to ten inches above the curb.
- The service installation crew marks the location of the pigtail (connection point) so that the plumber can locate and hook on to the setter at the time of the installation of the consumer line.
- The plumber is responsible for making the connection to the pigtail.

An additional streamlining measure is for all water tap and equity fees to be paid when the building permit fee is paid. Central Inspection will collect all fees allowing customers to pay at one location. The anticipated benefits of these changes are as follows:

- Improves the timeliness of service installations.
- More efficient scheduling of installation crews.
- Streamlines payment and application procedures.
- Potential for cost containment due to improved scheduling.

In keeping with the City's efforts to utilize technology to improve service delivery, the Foundation Release request form can be received from the City's web site. The applicant can enter information onto the web page and will be provided with a general time frame for service installation. City staff will review service requests and establish an installation schedule viewable on the web site by the applicant.

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In 2001 the City Council received a plan for moderation of rate increases. At that time staff committed to reviewing and making recommendations to improve the tap application process. With the revised process there is potential for cost containment due to more efficient scheduling of service installation crews.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried Martz moved that the report be received and filed. Motion carried 7 to 0..

BUDGET

PRESENTATION AND COMMENTS ON THE PROPOSED 2003/2004 ANNUAL BUDGET.

The proposed 2003/2004 budget totals \$354,301,410, representing a 1.8 percent decrease from the current operating budget. The budget, as proposed, maintains the current mill levy for the tenth consecutive year.

Chris Cherches City Manager said the City Council has been presented a balanced budget. The proposed budget requires no tax increase. Revenues match expenditures. The budget addresses needs of the City and sustains services. The budget document is available on the City's WEB site and at libraries.

Ray Trail Director of Finance presented an overview of the budget.

The total 2003 proposed budget is lower than 2002 by approximately 1.8 percent. The General Fund component of the budget has an approximate 3 percent increase. The General Fund budget is balanced. For the tenth consecutive year, no property tax increase is required.

The on-going Public Safety Initiative in the proposed budget includes additional firefighters and a additional fire station. Also planned is the implementation of two additional police beats – one each west and east, with all beats being retooled.

Additional funds are budgeted for infrastructure maintenance of roads, facilities, and parks. Two additional Neighborhood City Halls are anticipated – one each for Districts II and V. Two new regional libraries are planned, as well as the closing of some smaller branch libraries.

The proposed budget also includes reduction of planned water and sewer rate increases.

Responding to a question, the Director of Finance explained the 1.8 percent reduction as being in some of the enterprise funds, special revenue funds, expenditures in landfill operations, lower joint city/county operations, and lower TIF District budgets.

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion – carried Knight moved that the Comments be received. Motion carried 7 to 0.

CITY COUNCIL AGENDA

TRAVEL APPROVAL APPROVAL OF TRAVEL EXPENSES FOR COUNCIL MEMBER BREWER TO ATTEND NBC/LEO ANNUAL SUMMER CONFERENCE AND BOARD OF DIRECTORS MEETING IN DALLAS, TX, JULY 31 - AUGUST 4, 2002.

Motion -- carried Knight moved that the travel expenditures be approved. Motion carried 7 to 0.

APPOINTMENTS BOARD APPOINTMENTS.

Motion -- carried Pisciotte moved that Mike Pompeo be appointed to the Redistricting Committee. Motion carried 7 to 0.

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CONSENT AGENDA

Knight moved that the Consent Agenda be approved as consensus Items. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JULY 8, 2002.

There was no Board of Bids meeting.

LICENSES

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
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Daryl Moren	Club Billiards*	925 West Douglas
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<u>New Operator</u>	<u>2002</u>	<u>(Consumption off Premises)</u>
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Kulwinder S. Jaswal	Petro America dba Quick Mart	2700 North Amidon
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*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion --
-- carried

Knight moved that the licenses be approved subject to Staff review and approval. Motion carried 7 to 0.

PLANS AND SPECS.

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no Sub-Division Plans and Specifications submitted.

PLANS AND SPECS.

PLANS AND SPECIFICATIONS.

a) 53rd Street North Bridge at Little Arkansas River - 53rd Street North between Arkansas & Meridian. (87 N-0202-01 / 472-83401/715684/241100) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$1,954,763.95

b) 2002 contract maintenance area concrete street repairs Phase 5 - North of 55th Street South, east of Hoover. (472-83602/132712/) Traffic to be maintained during construction using flagpersons and barricades. (District I, II, III & VI) - \$150,000.00

c) Chapel Hill/Crestwood/Bedford/Summerfield Loop Street from the north line of 13th Street North to Summerfield to serve Chapel Hill Addition - north of 13th, east of Greenwich. (472-83077 /765739/ /490850) Does not affect existing traffic. (District II) - \$750,000.00

d) Planeview Park Tennis Court Reconstruction 2002 Park CIP to serve Planeview Park - westerly of George Washington Boulevard, Southerly of Ross Parkway. (472-83549/792310/435272) n/a (District III) - \$100,606.00

Motion -- carried

Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

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COST STATEMENTS STATEMENTS OF COST:

- a) Improving Bedford and Bedford Courts and sidewalk to serve Cedar View 2nd Addition (north of Lincoln, east of Greenwich Road). Total Cost - \$221,029.68 (plus idle fund interest - \$4,748.64, plus temporary note interest - \$4,256.68). Financing to be issued at this time - \$230,035.00. (765665/472-83300/490-776).
- b) Improving Spyglass; 44th Street North; 44th Street North Court; Ironwood and Ironwood Circle to serve Willow Place Addition (south of 45th Street North, west of Webb Road). Total Cost - \$197,133.63 (less idle fund interest - \$3,674.08, plus temporary note interest - \$6,693.29). Financing to be issued at this time - \$207,501.00. (765655/472-83267/490-766).
- c) Improving Cypress/38th Street North, from the North line of 37th Street North to the West line of Webb Road to serve Industrial Air Center Addition and Industrial Air 2nd Addition (north of 37th Street North, west of Webb Road). Total Cost - \$377,591.45 (plus idle fund interest - \$787.28, plus temporary note interest - \$16,481.27). Financing to be issued at this time - \$394,860.00. (765645/472-82889/490-756).
- d) Improving Shadow Lakes; Northshore Boulevard; Shadow Lakes Courts; Northshore Courts and sidewalk to serve parts of Ridge Port Addition (north of 29th Street North, east of Ridge Road). Total Cost - \$376,565.67 (plus idle fund interest - \$9,070.05, plus temporary note interest - \$6,182.28). Financing to be issued at this time - \$391,818.00. (765672/472-89247/490-783).
- e) Improving Taft, from the East line of Julia to the West line of Hoover; Hoover, from the North line of Taft, south approximately 225' to the existing pavement and sidewalk to serve West Kellogg Power Center Addition (north of Kellogg, west of Hoover). Total Cost - \$382,594.25 (less idle fund interest - \$947.27, plus temporary note interest - \$16,953.02). Financing to be issued at this time - \$398,600.00. (765610/472-82757/490-721).
- f) Improving the Alley between Washington and Ida, from Morris to Gilbert to serve Kelsch Third and Hephner Additions (south of Kellogg, east of Washington). Total Cost - \$51,147.26 (plus idle fund interest - \$1,014.02, plus temporary note interest - \$812.72). Financing to be issued at this time - \$52,974.00. (765654/472-83284/490-765).
- g) Improving Sawdust, from the East line of Rock Road to the West line of Spyglass; Sawdust Courts, Lots 1-51, Block 6 and Lots 49-80, Block 7 to serve Sawmill Creek Addition (north of 45th Street North, east of Rock Road). Total Cost - \$544,981.44 (plus idle fund interest - \$9,981.06, plus temporary note interest - \$9,541.50). Financing to be issued at this time - \$564,504.00. (765660/472-83281/490-771).
- h) Improving Tara Falls from the South line of Michelle to the South line of Lot 42, Block A; Tara Falls Courts, north and south of Tara Falls to and including the Cul-de-sacs to serve Tara Falls and Tara Falls 2nd Additions (south of Harry, west of 127th Street East). Total Cost - \$290,000.00 (plus idle fund interest - \$4,919.88, plus temporary note interest - \$4,781.12). Financing to be issued at this time - \$299,701.00. (765679/472-83374/490-790).
- i) Improving Funston, from the West line of Lot 37, Block 2 to Greenwich Road; Derrick Circle and Justin Circle, north of Funston including the Cul-de-sac; and sidewalk to serve Smithmoor 10th Addition (south of Harry, west of Greenwich Road). Total Cost - \$233,812.73 (plus idle fund interest - \$4,925.79, plus temporary note interest - \$2,586.48). Financing to be issued at this time - \$241,325.00. (765688/472-83396/490-799).
- j) Improving Glen Wood; Birchwood; Glen Wood Courts and sidewalk to serve Rocky Creek Addition (south of Harry, east of Webb Road). Total Cost - \$297,854.09 (plus idle fund interest - \$4,661.55, plus temporary note interest - \$4,667.36). Financing to be issued at this time - \$307,153.00. (765680/472-83035/490-791).

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- k) Improving Garnett Street, from the South line of Central, south to a point 485' South of the South line of Central Avenue to serve 127th Retail Addition (south of Central, west of 127th Street East). Total Cost - \$85,280.07 (plus idle fund interest - \$1,744.97, plus temporary note interest - \$988.96). Financing to be issued at this time - \$88,014.00. (765697/472-83194/490-808).
- l) Improving Valley Hi Road, from the West line of Decker Drive, west to the West line of the plat of Auburn Hills Addition to serve Auburn Hills 12th and O'Dell White Additions (south of Maple, west of 135th Street West). Total Cost - \$126,908.40 (plus idle fund interest - \$2,512.14, plus temporary note interest - \$1,864.46). Financing to be issued at this time - \$131,285.00. (765671/472-83272/490-782).
- m) Improving Nineiron: Nineiron Court and Decker Street to serve Auburn Hills 12th and O'Dell White Additions (south of Maple, west of 135th Street West). Total Cost - \$325,818.61 (plus idle fund interest - \$6,017.15, plus temporary note interest - \$5,718.24). Financing to be issued at this time - \$337,554.00. (765659/472-83290/490-770).
- n) Improving Siefkes; Spring Hollow; Castle Rock; Whitewood Street; Whitewood Circle; Whitewood Court and sidewalk to serve Shoal Creek Addition (south of Central, west of 143rd Street East). Total Cost - \$365,794.31 (plus idle fund interest - \$5,617.39, plus temporary note interest - \$6,010.30). Financing to be issued at this time - \$377,422.00. (765666/472-83296/490-777).
- o) Improving 33rd Street North, from the East line of Coolidge to the East line of Porter to serve Pleasant Valley and Riverdale Additions and Unplatted Tracts (north of 29th Street North, east of Amidon). Total Cost - \$139,293.43 (plus idle fund interest - \$1,268.90, plus temporary note interest - \$2,755.67). Financing to be issued at this time - \$143,318.00. (765625/472-83199/490-736).
- p) Improving Porter, from the North line of 33rd Street North, to the South line of 34th Street North (north of 29th Street North, east of Amidon). Total Cost - \$47,204.76 (plus idle fund interest - \$795.44, plus temporary note interest - \$758.80). Financing to be issued at this time - \$48,759.00. (765661/472-83302/490-772).
- q) Improving Edgemoor Drive, from the South line of Lot 97, Block 2 to the SE line of Lot 84, Block 2; and Pembroke Circle, from the East line of Edgemoor Drive to the NW line of Lot 85, Block 2, including the turn-around (north of 29th Street North, east of Oliver). Total Cost - \$193,250.79 (plus idle fund interest - \$3,852.25, plus temporary note interest - \$1,948.96). Financing to be issued at this time - \$199,052.00. (765695/472-83382/490-806).
- r) Improving an Accel/Decel Lane and a left turn lane to serve Lots 1-8, in Brush Creek Third Addition (south of 27th Street North, east of Woodlawn). Total Cost - \$414,602.06 (plus idle fund interest - \$7,294.51, plus temporary note interest - \$7,039.43). Financing to be issued at this time - \$428,936.00. (765663/472-83131/490-774).
- s) Improving Wilson Estates Parkway, from the East line of Reserves "S" and "V" of Wilson Farms Additions, to Webb Road and sidewalk to serve Legacy Park Wilson Estates (south of 21st Street North, west of Webb). Total Cost - \$233,428.85 (plus idle fund interest - \$3,505.10, plus temporary note interest - \$9,545.05). Financing to be issued at this time - \$246,479.00. (765634/472-83175/490-745).
- t) Improving Rocky Glen from the South line of Lot 49, Block 6, Rocky Creek Addition to the South line of Tallowood, and sidewalk to serve Rocky Creek and Rocky Creek 2nd Additions. (north of Central, east of Greenwich Road). Total Cost - \$94,581.98 (plus idle fund interest - \$1,782.02, plus temporary note interest - \$900.00). Financing to be issued at this time - \$246,479.00. (765701/472-83431/490-812).
- u) Improving Leonine; Angel; Leonine Courts and sidewalk to serve Angel Fire Addition (north of 47th Street South, east of West Street). Total Cost - \$295,564.98 (plus idle fund interest - \$6,802.56, plus temporary note interest - \$3,514.46). Financing to be issued at this time - \$305,882.00. (765664/472-83292/490-775).

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v) Improving Jewell; Milstead; Golden Hills; Jewell Court and sidewalk to serve Flat Creek Addition (north of Pawnee, east of 119th Street West). Total Cost - \$422,979.06 (plus idle fund interest - \$8,466.02, plus temporary note interest - \$4,654.92). Financing to be issued at this time - \$436,100.00. (765684/472-83383/490-795).

w) Improving Sandwedge Circle from the Westerly line of Lot 4, Block 4, east to and including the Cul-de-sac to serve Auburn Hills 11th Addition (north of Kellogg, east of 151st Street West). Total Cost - \$104,766.28 (plus idle fund interest - \$2,479.72, plus temporary note interest - \$940.00). Financing to be issued at this time - \$108,186.00. (765692/472-83403/490-803).

x) Improving Sheridan, from Douglas to 2nd Street; Mt. Carmel from Sheridan to 1st Street; 1st Street, from Sheridan to St. Paul and sidewalk to serve Woodlake 2nd Addition (north of Douglas, east of Sheridan). Total Cost - \$350,818.60 (less idle fund interest - \$4,579.98, plus temporary note interest - \$15,028.38). Financing to be issued at this time - \$361,267.00. (765637/472-83238/490-748).

y) Improving a Traffic Signal at Kellogg and Zelta to serve One Kellogg Place 2nd Addition (south of Kellogg, east of Greenwich). Total Cost - \$529,764.22 (plus idle fund interest - \$11,117.32, plus temporary note interest - \$5,964.46). Financing to be issued at this time - \$546,846.00. (765683/472-83372/490-794).

z) Improving Greenwich Road, from the South line of One Kellogg Place 2nd Addition to Kellogg, including a traffic signalization system at the major entrance at Greenwich Road to serve One Kellogg Place 2nd Addition (south of Kellogg, east of Greenwich). Total Cost - \$629,558.63 (plus idle fund interest - \$12,834.47, plus temporary note interest - \$6,539.90). Financing to be issued at this time - \$648,933.00. (765682/472-83370/490-793).

Motion -- carried

Knight moved that the Statements of Cost be received and filed.

PETITIONS

PETITIONS FOR PUBLIC IMPROVEMENTS - RENOVATE BUILDING FACADES AT 800 AND 802 EAST DOUGLAS – NORTHEAST CORNER OF DOUGLAS AND MEAD.

(District VI)

Agenda Report No. 02-1608

On March 20, 2001, the City Council approved a Facade Improvement Program designed to provide low-cost loans to enhance the visual aesthetics in the downtown area and provide an incentive for businesses to improve their property. Low interest, fifteen-year loans are provided owners of buildings with frontage on Douglas Avenue, between Seneca and Washington. The owner of buildings located at 800 and 802 East Douglas in Old Town has submitted the required Petitions. The signature on the Petitions represents 100% of the improvement districts. The developer has also submitted required facade easements.

The buildings, which are currently vacant, were previous clothing and shoe stores. The proposed work includes window replacement, consolidation of stone lintels and sills, painting, door replacement and rebuilding a traditional wood storefront.

City assistance is in the form of a five-year forgivable loan up to \$15,000 per visible façade, or 25% of the project cost, whichever is lower. The remaining amount is funded by Special Assessments. The Petition for 800 East Douglas totals \$76,000. The project qualifies for a \$15,000 forgivable loan. The Petition for 802 East Douglas totals \$33,000, with a \$8,250 forgivable loan.

Statutes provide the City Council authority to use Special Assessment funding for the projects. The Law Department has approved the facade easements as to legal form. Approval of the Petitions does not relieve the owner of requirements to obtain all necessary permits and reviews by applicable City Boards.

Motion --
-- carried

Knight moved that the Petitions be approved; the facade easements be accepted and the Resolutions be adopted. Motion carried 7 to 0.

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RESOLUTION NO. 02-338

Resolution of findings of advisability and Resolution authorizing construction of façade improvements at 800 East Douglas (north of Douglas, east of Mead) 472-83606,< in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

RESOLUTION NO. 02-339

Resolution of findings of advisability and Resolution authorizing construction of façade improvements at 802 East Douglas (north of Douglas, east of Mead) 472-83607, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

STREET CLOSURES CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures submitted.

GROUNDWATER GROUNDWATER REMEDIATION COMPLIANCE.

Agenda Report No. 02-1609

Camp Dresser & McKee (CDM) has provided professional environmental engineering services for the Brooks Landfill Groundwater Remediation project since 1995. CDM performed groundwater analysis and designed the remediation system currently in operation. This contract provides for continued advice and interpretation of monitoring results and regulatory compliance information required by KDHE.

In the Regulatory Compliance contract, CDM will assist City staff in remediation performance evaluation and system efficiency. Through detailed evaluation and system adjustments, operational efficiencies can be maximized, and operating costs reduced, while maintaining regulatory treatment mandates. The cost of the contract is not to exceed \$52,500.

Funding is available in the 2002 Landfill budget for this contract. Funding for the Regulatory Compliance contract is available from \$250,000 allocated for Groundwater Remediation System maintenance.

Motion -- Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

LEGAL SERVICES AMENDMENT – LITIGATION LEGAL SERVICES.

Agenda Report No. 02-1610

The City retained the law firm of McDonald, Tinker, Skaer, Quinn and Herrington, P.A. to provide legal services for the city in civil rights and personal injury cases involving police litigation.

The current contract provided for compensation not to exceed \$25,500. It has become necessary to spend additional sums to continue representation of the city in four pending cases. This will be the sixth amendment to the contract.

Funding for this contract, up to \$10,000 for year 2002, is from the Tort Claims Fund.

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The Law Department recommends acceptance of the contract. The additional sums are necessary for the continued representation in existing cases and is reasonable in amount.

Motion --

Knight moved that the Agreement authorizing payment of up to \$10,000 to provide additional legal services, together with any necessary fund transfers; be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

LIQUOR TAX

SPECIAL LIQUOR TAX PROGRAM ADMINISTRATION.

Agenda Report No. 02-1611

On December, 1999, the City Council approved privatization for the administration of the Special Liquor Tax dollars. A Request for Proposal (RFP) for program administration services was initiated and COMCARE was approved as the program administrator in March, 2000. The option to extend their contract was exercised in 2001 and can be extended again in 2002 with City Council approval. Under the current contract COMCARE is responsible for the following activities:

1. Monitor and refine the outcome-based measurements developed by the providers
2. Provide financial management by reviewing/approving invoices for service
3. Staff a coalition to provide recommendations addressing both programmatic and funding priorities
4. Provide oversight of pilot programs (new and innovative programs)
5. Prepare a report to the City Council on the activities of the program administrator including the effectiveness of outcome-based measurements, funding recommendations, and the work of the coalition

Comcare, as program administrator of the Special Liquor Tax Fund, initially managed contracts for twelve providers of substance abuse prevention and treatment services totaling \$923,000. This year, the number of contracts has increased to eighteen as the City Council authorized nearly \$500,000 for case management services over a two-year period of time and a one-time expenditure of nearly \$250,000 for innovative pilot projects.

The providers are required by contract to demonstrate the effectiveness of their program by establishing and reporting performance based outcomes. COMCARE provides technical assistance to providers to: assist with the development of outcome based measurements; to improve processes, to ensure that outcomes are properly measured; and to assist providers with developing written reports. COMCARE reviews each provider's outcome-based measurement reports on a quarterly basis to determine if the provider is successful in making a meaningful and measurable difference in the lives of alcohol and substance abusers. Reports are provided to the City of Wichita, members of the Special Liquor Tax Coalition and to the provider.

Due to the increased workload (a new two-year case management contract and five new innovative programs) COMCARE requested an increase in administrative fees. The organization has agreed to an increase of \$9,585 to their current \$89,000 contract should the City Council approve the increased contract amount.

Funds are available in the Special Liquor Tax Budget for this contract.

The Law Department will approve this contract as to form.

Motion --

Knight moved that the Agreement/Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

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SANITARY SEWER **CHANGE ORDER – SANITARY SEWER MAIN – BOTH SIDES OF 21ST, WEST OF 127TH STREET EAST.** (District II)

Agenda Report No. 02-1612

On October 20, 1998, the City Council approved a sanitary sewer main project to serve an area on both sides of 21st, west of 127th Street East. Rapid development in the area, after the project was let, make it necessary to reroute a line under 21st. Additional pipe is also needed to connect to a new building.

A Change Order has been prepared that authorizes the additional work. Funding is available within the project budget.

The total cost of the additional work is \$41,899. The funding source is the Sewer Utility.

The Change Order amount is within 25% of the construction contract cost limit set by the City Council policy.

Motion -- Knight moved that the Change Order be approved; and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

GARVEY PARK **GARVEY PARK.** (District III)

Agenda Report No. 02-1613

The City owns a parcel of land at the intersection of I-135 and the Arkansas River which contains the potential to improve recreational opportunities in a historically underserved area of the community. The site formerly housed a YMCA facility.

The 2002 Park Capital Improvement Program (CIP) includes \$30,000 for the design of improvements at Garvey Park. Possible improvements anticipated as an outcome of the design process are a canoe launch on the river, a bikepath trailhead, and a paved parking area.

The 2002 Park CIP includes \$30,000 for the design of improvements at Garvey Park. The funding source is general obligation bonds.

Motion -- carried Knight moved that the project be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 02-340

A Resolution authorizing the issuance of Bonds by the City of Wichita at Large for the design of improvements at the intersection of I-235 and the Arkansas River (Garvey Park), including a canoe, launch, a bikepath trailhead, and a paved parking area, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

EXIGENCY PROJECT **PUBLIC EXIGENCY PROJECT, SANITARY SEWER REPAIRS.** (District III)

Agenda Report No. 02-1614

At the southeast corner of Pawnee and St. Francis Streets, there is a 6-inch sanitary sewer force main that discharges to a manhole in Pawnee. The pipe consists of approximately 35 linear feet of cast iron pipe, which has corroded to the point that it cannot handle the flow. Crews have set up a temporary bypass pump system until emergency repairs can be done. Due to the congestion of other utilities located within Pawnee Street and the backlog of work at the Sewer Maintenance Division, Staff recommends that the repairs be done by a contractor.

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Staff met on site with local contractors and W.B. Carter Construction submitted the lowest bid at \$7,646. The City Manager approved proceeding with the project on June 24, 2002.

The cost for the repair will be funded from Sewer Utility Revenues.

City Ordinance 2.64.020, "Public Exigency," authorizes the City Manager to approve work to be done by a contractor without formal bidding.

Motion -- carried

Knight moved that the Public Exigency project approval be affirmed. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (First read July 2,2002)

a) ZON2002-00009 - south of 13th Street North, west of St. Paul. (District VI)

ORDINANCE NO. 45-352

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.010, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2002-00009

b) ZON2002-00025 – south of 13th Street North, east of Edwards. (District VI)

ORDINANCE NO. 45-353

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.010, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2002-00025

PLANNING AGENDA

Motion -- carried

Knight moved that the Planning Agenda be approved as consensus Items. Motion carried 7 to 0.

SUB2002-07

SUB2002-07 – PLAT OF K AND N MOTORCYCLE ADDITION – WEST SIDE OF WEST STREET, NORTH OF SECOND STREET. (District IV)

Agenda Report No. 02-1615

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat (12-0)

A zone change (ZON 2001-76; associated with CON2001-00068) from "SF-5" Single-Family Residential District and "B" Multi-Family Residential District to "LC" Limited Commercial District was approved by the City Council on March 5, 2002.

A restrictive covenant has been submitted that permits future cross-lot access with the abutting property owners to the north and south along West Street.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording of the plat within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The restrictive covenant will be recorded with the Register of Deeds.

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Motion -- Knight moved that the document and Plat be approved; the ZON 2001 -76 Ordinance be placed on first reading with publication being withheld until such time as the Plat is recorded with the Register of Deeds; and the necessary signatures be authorized. Motion carried 7 to 0.
-- carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, introduced and under the rules laid over.

SUB2002-21

SUB2002-21 – PLAT OF CENTRAL AND ROCK ADDITION – NORTHEAST CORNER OF CENTRAL AND ROCK ROAD. (District II)

Agenda Report No. 02-1616

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (12-0)

This plat is zoned LC, Limited Commercial and municipal facilities are available to the site.

In lieu of a 10-ft right-of-way dedication requested by Traffic Engineering, MAPC approved a 5-foot contingent sidewalk dedication located within a 10-foot utility easement. In the event a cross-lot access agreement can be obtained with the abutting properties to the east and north, then the access openings along Central and Rock will be closed.

The site is within the noise impact area of McConnell Air Force Base and an avigational easement and restrictive covenant were required. This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The avigational easement and restrictive covenant will be recorded with the Register of Deeds.

Motion -- Knight moved that the documents and Plat be approved; and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

SUB2002-61

STREET IMPROVEMENT AGREEMENT FOR LOT SPLIT NO. SUB2002-61 – NORTHEAST CORNER OF SALINA AND 31ST STREET NORTH. (District VI)

Agenda Report No. 02-1617

Staff Recommendation: Approve the Agreement.

This No Protest Agreement for the paving of 31st Street North and Salina Avenue was required for the approval of a Lot Split (SUB 2002-61) for Lot 36, together with Lot 37, except the north 108 feet, Timmermeyer Gardens. The Lot Split will allow for the creation of an additional lot zoned SF-5, Single Family Residential. This Agreement assures the City of Wichita that this property will be included in the improvement district for paving of 31st Street North and Salina Avenue, and that the owners have waived their right to protest said paving.

The No Protest Agreement will be recorded with the Register of Deeds.

Motion -- Knight moved that the Agreement be approved; and the necessary signatures be authorized. Motion
-- carried carried 7 to 0.

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AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

AIRPORT

CESSNA AIRCRAFT COMPANY SUBLEASE.

Agenda Report No. 02-1618

The Wichita Airport Authority currently has a lease agreement with Cessna Aircraft Company for use of a facility located at 2010 Airport Road. The term of the lease is March 1, 2001 through February 28, 2021. Two five-year options are also included in the agreement. Cessna subleases this facility to Yingling Aviation. Yingling is one of three fixed base operators on Wichita Mid-Continent Airport. The term of the sublease is March 1, 2001 through February 29, 2008. There is one five-year option. On February 13, 2002, the WAA approved documents for the issuance of Airport Special Facility Revenue Bonds for Yingling Aviation in an amount not to exceed \$1.3 Million to renovate and modernize the facility.

Cessna Aircraft is considering subleasing the facility to Yingling Aviation for the duration of Cessna's lease agreement with the WAA (February 28, 2021, with two -five year options), and is requesting consent of the WAA, which consent is provided for in the lease agreement. Language is also included in the agreement which states that Cessna is not relieved of any of its duties and obligations by virtue of any sublease, and further that any sublease is subordinate to the primary lease between Cessna and the WAA.

There are no financial considerations.

Motion --

-- carried

Knight moved that the Cessna Aircraft Company's request to sublease the premises to Yingling Aviation through February 28, 2021 with two five-year renewal options be approved. Motion carried 7 to 0.

EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the City Council recess to executive session for consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal advice; preliminary discussions relating to the acquisition of real property for public purposes; and confidential data relating to the financial affairs or trade secrets of a business; and the Council return from executive session no earlier than 11:00 a.m. Motion carried 7 to 0.

RECESS

The City Council recessed at 10:46 a.m. and reconvened at 11:06 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 11:06 a.m.

Pat Burnett CMC
City Clerk